REMARKS

Applicants have carefully the Examiner's Office Action. In responding to section 1 A of the Office Action, an additional sheet of formal drawing, Fig 3 a flow diagram of a method in accordance with the invention is submitted herewith. It is believed that the newly submitted Fig. 3 addresses Examiner's objection and requirement that the drawings show every figure of the invention specified in the claims. No new matter has been added in the text describing Fig. 3 added hereby.

Relative to the objection noted in connection with section 1 C of the Office Action, it is believed that the drawing of Fig. 1 complies with the requirements to show every feature of the invention specified in the claims. For example, Fig. 1 illustrates element 60 which is software carried on disk 12. Software 60 includes installation components 62 and installation script software 64.

Fig. 1 illustrates hardware 14 which could be a LAN card as well as a computer 50 which includes an operating system, see pg 6, I 8-pg 7, I 2. As described in the application, see pg 7, ll 8-22, script 64 includes monitoring means, analyzing means, as well as means for responding to the request for the operating system without requiring intervention.

In connection with the above, the Examiner's attention is directed to a further explanation of the figures of the pending application starting on page 8, second line from the bottom thereof extending through page 9 and on to the first 5 lines of page 10. It is believed that Fig. 1 thus complies with the requirements of the patent statute and 37 CFR in connection with the drawing and is responsive to the Examiner's objection in section 1 C of the Office Action. It is requested that the rejection be withdrawn.

It is further submitted that as explained below, none of the pending claims are anticipated by the ADAPTEC 7800 manual. Anticipation requires that each limitation of a subject claim be disclosed in the anticipating document as claimed. The 7800 manual simply describes a traditional form of an installation process which requires the user to interact and respond to the operating system during the installation process. This is quite different and unlike the present invention. For example on page 2-2 of the subject manual the instruction is provided:

"When you see the NetWare colon prompt (:), use the load command to install the driver from the 7800 Family Manager Set diskette for NetWare."

Further, also on page 2-2 the manual specifies:

"Follow the instructions in the NetWare documentation to complete the installation (e.g., creating disk partitions, systems volumes, etc.) of your server."

On page 2-3 the same manual states further:

"When a screen appears that asks you to select a disk driver, press **Insert**.

Insert the Adaptec 7800 Family Manager Set diskette for NetWare into your disk drive.

Press **F3** and specify the path to the aic7870.dsk driver for NetWare (e.g., a:\netware\v4_xx on the diskette).

Select AIC7870.DSK and press **Enter**

Specify the server's startup directory (usually c:\server.40 for NetWare v4.0 or c:\nwserver for NetWare v4.1 x) and press **Enter**

As the above sequences make clear, the person conducting the installation process is continually interacting with the operating system.

Further, on page 2-4 further instructions are provided to install a driver where NetWare is already installed including:

"Copy the aic7870.dsk driver from the 7800 Family Manager Set diskette for NetWare into the server's startup directory (e.g., c:\nwserver,c:\server.40,c:\server.312) on your hard drive.

If necessary, modify the load command line in the startup.ncf file so that the proper paths to the driver and all appropriate command line options are specified."

On page 2-5 of the manual the following instructions are provided:

"To modify the startup.ncf file, follow these steps:

Type load install at the NetWare prompt and press **Enter**.

select the appropriate menu choice that allows you to edit the startup.ncf file.

make necessary changes. When you are done, press **Esc**.

Thus, as is clear from the above quotes the Adaptec 7800 Family Manager software requires that the user manually interact with the Novell NetWare operating system during the installation process. This is quite unlike the claimed invention and cannot anticipate same.

The Examiner's reference to:

"Adaptec, 2-2, automatically loads" (pg 3 Office Action)

does not address the above noted deficiencies. That reference is to a time subsequent to installation. It also requires user manual intervention. As stated therein:

"To load the driver automatically at server bootup, copy the driver to the server's startup directory and modify the startup.ncf file." (7800 Manual pg 2-2; emphasis ours)

The Office Action reflects, in view of the above, improper hindsight reconstruction. It is only the present application that provides systems and methods for, as set forth for example in independent claims 1, 11:

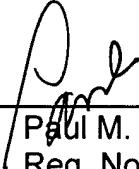"responding to the commands received from the operating system without requiring user intervention".

Pending independent claim 5 includes:

"means for responding to the request without requiring user intervention"

Thus, for at least the above reasons the pending claims are allowable. Allowance of the application is respectfully requested.

Filed herewith is a New Power (PTO/SB/82) and an Assignee's Statement (PTO/SB/96).

Respectfully submitted,

Dated: October 26, 2005   By _____
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